

CHAPTER 3 REFRIGERATION AND AIR CONDITIONING LICENSING

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300 GENERAL PROVISIONS

- 300.1 The provisions of this chapter shall govern the business of installing, maintaining, repairing, and replacing refrigeration and air conditioning equipment, within the limits set forth in §301, and require the licensing and bonding of certain persons engaged or employed in the refrigeration and air conditioning business.
- 300.2 Persons, firms, and corporations validly licensed in accordance with the requirements of this chapter to perform work falling within the scope of §301 shall be considered to be validly licensed under the requirements of §5 of the Act approved June 18, 1898 (D.C. Code §2-2106 (1981)) relating to the licensing of plumbers, and under the licensing requirements contained in chapter 1 of this title.
- 300.3 All electrical or plumbing work performed under the authority of this chapter shall, to the extent that any permit is required by the Electrical Code of the District of Columbia or the Regulations Governing the Installation of Plumbing and Gas Fitting in the District of Columbia, be performed only under the authority of a permit issued in accordance with the electrical code or plumbing regulations, and such work shall be performed in accordance with all applicable laws and regulations.

AUTHORITY: Unless otherwise noted, the authority for this chapter is An Act to grant additional powers for the Commissioners of the District of Columbia, approved December 20, 1944, 58 *Stat.* 859, ch. 611.

SOURCE: Commissioners' Order No. 55-2029, as amended by Commissioners' Orders No. 56-108 and 56-1385, 5U DCCR, INTRODUCTION.

301 APPLICABILITY OF REGULATIONS

- 301.1 The provisions of this chapter shall be applicable to persons, firms, and corporations engaged or employed in the business of installing, maintaining, repairing, or replacing air conditioning and refrigeration equipment, except as provided in §302, and subject to the limitations set forth in this section.
- 301.2 A person, firm, or corporation licensed under this chapter to engage or to be employed in the business of installing, maintaining, repairing, and replacing refrigeration or air conditioning equipment shall, in connection with the original installation of equipment, be limited to connecting that equipment to the following:
- (a) The disconnecting means required for each motor which is located within sight of the motor and not more than ten feet (10') from the motor;
 - (b) A public water supply shut-off valve, located within ten feet (10') of the equipment;
 - (c) An approved drain; and
 - (d) All interconnecting control wiring on the load side of each disconnecting means which meets the requirements of §301.2(a).
- 301.3 The ten-foot (10') distance between the equipment and shut-off valve or disconnecting means shall be measured without regard for any intervening object other than a wall or partition.
- 301.4 Each disconnecting means shall be installed under the authority of an approved electrical permit, and each shut-off valve and approved drain shall be installed by (or under the supervision of) a licensed master plumber under the authority of an approved permit.
- 301.5 Connection of the public water supply to refrigeration or air conditioning equipment shall be through an approved check valve or vacuum breaker which shall be (or shall have been) installed by a licensed master plumber under the authority of an approved permit.
- 301.6 A person, firm, or corporation licensed under this chapter to engage in the business of installing, maintaining, repairing, and replacing refrigeration or air conditioning equipment shall, in connection with the maintenance, repair, or replacement of any such equipment, be limited to maintaining, repairing, or replacing the various components of refrigeration or air conditioning systems, including but not limited to, compressors, motors, controls, water regulating valves, and condensers.
- 301.7 The limit of electrical repairs shall be from the disconnect means furnished for each motor location, including the replacement of branch circuit wiring on the load side of the disconnect means.

- 301.8 The limit of plumbing repairs shall be between the approved water shut-off valve supplying the system and the approved sanitary drain with which the system is connected, including the replacement of piping.
- 301.9 If any existing component of any refrigeration or air conditioning system is replaced by a component of larger size or capacity which consumes a larger amount of electricity, requires the enlargement of the branch circuit wiring, requires an increase in the capacity of the disconnect means, or requires any other enlargement or increase in the capacity of any component of the system, all replacement work shall be subject to the limitations established under §301.2 through §301.5.
- 301.10 If new equipment is added to an existing system, the work required in connection with the installation of new equipment shall be subject to the limitations set forth in §301.2 through §301.5.
- 301.11 If an existing piece of equipment is replaced with new equipment, the work required in connection with the installation of the replacement equipment shall be subject to the limitations set forth in §301.6 through §301.8.

SOURCE: Commissioners' Order No. 55-2029, §§2(a)-(d), 5U DCRR, §§1.2(a)-(d).

302 PERSONS NOT SUBJECT TO THESE REGULATIONS

- 302.1 The provisions of this chapter shall not apply to persons actually engaged in the performance of work under contract with the Federal government, or work done by personnel employed by the Federal government during the course of their regular government employment.
- 302.2 The provisions of this chapter shall not apply to a person who installs, maintains, or repairs refrigerating or air conditioning equipment, machinery, or devices in a laboratory for experimental and developmental purposes if the laboratory obtains an exemption certificate or letter from the Director clearly setting forth the fact that the work shall be exempt.
- 302.3 An employee of the District of Columbia whose name appears on the regular roll of examined licensees may be licensed without the payment of a fee if that person carries on no work authorized by that license other than for the District of Columbia. A license issued under this subsection shall be marked "District of Columbia Government Work Only."
- 302.4 The provisions of this chapter shall not apply to any person licensed as a steam or operating engineer under the laws of the District of Columbia if he or she is performing refrigeration or air conditioning maintenance or repair work along with his or her other routine duties as a steam or operating engineer for the person regularly employing him or her as a steam or operating engineer.
- 302.5 No license under this chapter shall be required of a person, firm, or corporation for the installation, maintenance, repair, or replacement of a self-contained unit system containing not more than two pounds (2 lbs.) of refrigerant; Provided, that if an electrical or plumbing permit is required by the D.C. Electrical Code or D.C.

Plumbing Code for work involved in connection with the installation, maintenance, repair, or replacement of a self-contained unit system, the electrical or plumbing work may be performed only under the authority of the required electrical or plumbing permit.

302.6 No license of any kind authorized by this chapter shall be required of any person, firm, or corporation by reason of that person, firm, or corporation being engaged in the installation, maintenance, repair, or replacement of refrigeration or air conditioning equipment in motor vehicles or railroad rolling stock.

302.7 The provisions of this chapter shall not apply to any public utility, as defined in D.C. Code §43-203 (1981), which is under the jurisdiction of the Public Service Commission of the District of Columbia, when that utility is engaged or employed in the business of installing, maintaining, repairing, and replacing refrigeration and air conditioning equipment as part of the performance of work for which the utility holds a franchise to engage in rendering a public utility service.

SOURCE: Commissioners' Order No. 55-2029, §§11(a)-(f), 5U DCRR, §§1.11(a)-(f).

303 GENERAL LICENSING REQUIREMENTS

303.1 Except as specifically provided otherwise in this section, no person shall engage in or be employed in the business of installing, maintaining, repairing, or replacing refrigeration and air conditioning equipment, within the limits set forth in §301, without being licensed to do so.

303.2 The licensing requirement in §303.1 shall not be applicable to persons performing refrigeration or air conditioning work under the personal supervision of, and under the authority of a permit issued to, a validly licensed Master Refrigeration and Air Conditioning Mechanic or Master Refrigeration and Air Conditioning Mechanic Limited, who is responsible for the proper performance of the work.

303.3 Nothing in this section shall be construed to prohibit performance of electrical work required in connection with the installation, repair, maintenance, or replacement of equipment by or under the supervision of a person holding a valid license authorizing him or her to perform that electrical work.

303.4 Nothing in this section shall be construed to prohibit performance of plumbing work required in connection with the installation, repair, maintenance, or replacement of equipment by or under the supervision of a person holding a valid license as a master plumber.

303.5 Work to be performed by any person licensed under the authority of this chapter shall be limited to the work permitted to be performed under the specific license issued to that person.

303.6 Each person, firm, or corporation proposing to engage in or be employed in the business of installing, maintaining, repairing, or replacing refrigeration and air conditioning equipment shall first secure one of the following licenses:

(a) Refrigeration and Air Conditioning Contractor;

- (b) Master Refrigeration and Air Conditioning Mechanic; or
- (c) Master Refrigeration and Air Conditioning Mechanic Limited.

- 303.7 It is unlawful for any person to engage in the mechanical work of installation, maintenance, repair, or replacement of refrigeration and air conditioning equipment (except persons not covered by this chapter under §302) unless he or she has first obtained a Journeyman Refrigeration and Air Conditioning Mechanic's license.
- 303.8 A journeyman's license shall be issued at a time determined by the Director on the basis of a qualifying examination and test of skill in the practical details of this trade given under the direction of the Refrigeration and Air Conditioning Licensing Board.
- 303.9 Each class of license listed in §303.6 shall entitle the holder of a license coming within that class to perform work related to the installation, maintenance, repair, or replacement of refrigeration or air conditioning equipment for a period of one (1) year, as set forth in §304.
- 303.10 A licensee shall register any change of address of the licensee's place of business or residence with the Director within five (5) days from the date on which the change occurs.

SOURCE: Commissioners' Order No. 55-2029, §§3(a)-(d) and 4(e), 5U DCRR, §§1.3(a)-(d) and 1.4(e).

304 CLASSES OF LICENSES

- 304.1 A license as a Refrigeration and Air Conditioning Contractor shall entitle the licensee to engage in the business of installing, maintaining, repairing, or replacing any refrigerating or air conditioning system, including components of a system, subject to the limitations set forth in §301 and §305 through §307.
- 304.2 A license as a Master Refrigeration and Air Conditioning Mechanic shall entitle the licensee to supervise or perform any work required in connection with the installation, maintenance, repair, or replacement of any refrigeration or air conditioning system, including the components of a system, regardless of the size and nature of the system, subject to the limitations set forth in §301.
- 304.3 A license as a Master Refrigeration and Air Conditioning Mechanic Limited shall entitle the licensee to supervise or perform any work required in connection with the installation, maintenance, repair, or replacement of refrigeration or air conditioning systems up to and including twenty-five (25) compressor horsepower or the equivalent tons of refrigeration in the aggregate, subject to the limitations set forth in §301.
- 304.4 Each person, firm, or corporation making application for a license to be engaged or employed in the business of installing, maintaining, repairing, and replacing refrigeration and air conditioning equipment as a refrigeration and air conditioning contractor shall comply with the specific requirements for the license applied for, as set forth in §305 through §307.

SOURCE: Commissioners' Order No. 55-2029, §§3d(1)-(3) and 4, 5U DCRR, §§1.3(d)(1)-(3) and 1.4.

305 REFRIGERATION AND AIR CONDITIONING CONTRACTORS

- 305.1 A license as a Refrigeration and Air Conditioning Contractor may be issued to a person, firm, or corporation proposing to engage in that business if the following requirements are met:
- (a) The business shall be conducted at a specified location; and
 - (b) The business shall be conducted by or shall regularly employ at least one (1) person holding a valid Master Refrigeration and Air Conditioning Mechanic's license or a valid Master Refrigeration and Air Conditioning Mechanic Limited's license.
- 305.2 If the highest grade of license held by the person conducting or regularly employed in the business of the Refrigeration and Air Conditioning Contractor is that of Master Refrigeration and Air Conditioning Mechanic Limited, the license issued to that contractor shall be limited to the installation, maintenance, repair, or replacement of refrigeration or air conditioning systems up to and including twenty-five (25) compressor horsepower or the equivalent tons of refrigeration in the aggregate.
- 305.3 The license issued to a Refrigeration and Air Conditioning Contractor shall be valid only so long as the business of the licensee is conducted by or regularly employs at least one (1) person holding a valid license as a Master Refrigeration and Air Conditioning Mechanic or Master Refrigeration and Air Conditioning Mechanic Limited.
- 305.4 At least one (1) master mechanic conducting or regularly employed in the business of the Refrigeration and Air Conditioning Contractor shall be named the "designated master mechanic" for that contractor. The designated master mechanic shall supervise and be responsible for the work to be performed under the authority of the permits issued to the contractor in the name of the designated master.
- 305.5 For the purposes of this section, the term "regularly employs" or "regularly employed" means that the Master Refrigeration and Air Conditioning Mechanic or Master Refrigeration and Air Conditioning Mechanic Limited shall be available to supervise the installation of refrigeration or air conditioning equipment at all times during the installation, whenever such work is being performed by any mechanic under his or her supervision and for whose work he or she is responsible.
- 305.6 The non-availability of the Master Refrigeration and Air Conditioning Mechanic or Master Refrigeration and Air Conditioning Mechanic Limited designated under §305.4 to supervise the performance of any refrigeration or air conditioning work performed under the authority of a permit issued to that master shall be cause for the suspension or revocation of the license of that designated master mechanic.
- 305.7 If the master or limited master mechanic severs his or her connection with the contractor, both the master or limited master and the contractor shall notify the Director promptly.
- 305.8 If a contractor is a non-resident of the District of Columbia, or has designated on the license application a local officer of the firm or corporation who is a non-resident

of the District, the contractor shall also designate by name and address an individual who is a resident of the District, and who, by a signed statement, agrees to be the local agent of the contractor to accept notices, summons, or other legal notices for that contractor and to notify the Director of any change in the agent's address or any change in the conditions of the agreement to act as agent for the contractor.

305.9 The issuance and continuing validity of a contractor's license shall be conditioned on the contractor's furnishing and keeping in force a bond in the form required by this chapter.

305.10 A contractor with more than one (1) business location shall obtain a separate license and file a separate bond for each business location.

SOURCE: Commissioners' Order No. 55-2029, §4(a), 5U DCRR, §1.4(a).

306 MASTER REFRIGERATION AND AIR CONDITIONING MECHANIC

306.1 A license as a Master Refrigeration and Air Conditioning Mechanic may be issued to an applicant for that license who does the following:

- (a) Furnishes evidence satisfactory to the Board of having been employed in installing, maintaining, repairing, and replacing refrigeration and air conditioning systems larger than twenty-five (25) compressor horsepower or the equivalent tons of refrigeration in the aggregate for a period of at least five (5) years immediately preceding the date of application; and
- (b) Passes an examination on the practical and theoretical aspects of installing, maintaining, repairing, and replacing refrigeration and air conditioning systems larger than twenty-five (25) compressor horsepower or the equivalent tons of refrigeration in the aggregate.

SOURCE: Commissioners' Order No. 55-2029, §4(b), 5U DCRR, §1.4(b).

307 MASTER REFRIGERATION AND AIR CONDITIONING MECHANIC LIMITED

307.1 A license as a Master Refrigeration and Air Conditioning Mechanic Limited, may be issued to an applicant for that license who does the following:

- (a) Furnishes evidence satisfactory to the Board of having been employed in installing, maintaining, repairing, and replacing refrigeration and air conditioning systems of twenty-five (25) or less compressor horsepower or equivalent tons of refrigeration in the aggregate for a period of at least five (5) years; and
- (b) Passes an examination on the practical and theoretical aspects of installing, maintaining, repairing, and replacing refrigeration and air conditioning systems up to and including twenty-five (25) compressor horsepower or the equivalent tons of refrigeration in the aggregate.

307.2 Employment in installing, maintaining, repairing, and replacing refrigeration or air conditioning systems larger than twenty-five (25) compressor horsepower or the equivalent tons of refrigeration shall be acceptable as part of the five (5) years of employment required under §307.1(a).

SOURCE: Commissioners' Order No. 55-2029, §4(c), 5U DCRR, §1.4(c).

308 DISPLAY AND INSPECTION OF LICENSES

308.1 All licenses shall be subject to examination by any police officer or other authorized official of the District of Columbia government.

308.2 Each contractor shall display the license in a frame under a glass in a conspicuous place at the location specified on the license which is accessible for inspection.

308.3 Occupational license cards shall be carried on the person of each licensee.

SOURCE: Commissioners' Order No. 55-2029, §4(g), 5U DCRR, §1.4(g).

309 APPLICATION FOR LICENSE

309.1 Application for a license to engage in a business or occupation covered by this chapter shall be filed with the Department of Consumer and Regulatory Affairs (also referred to in this chapter as the "Department") in writing on a form provided by the Department.

309.2 The application and examination fee set forth in §309.3 shall be paid before any license examination is conducted.

309.3 The examination and annual license fees for each class of license shall be the following:

(a) Refrigeration and Air Conditioning Contractor\$35

(b) Master Refrigeration and Air Conditioning Mechanic\$15

(c) Master Refrigeration and Air Conditioning Mechanic Limited\$10

309.4 Each applicant shall furnish with the application two (2) recent identical photographs of the applicant, one by one and one-half inches (1"x 1 1/2") in size.

309.5 The application for a contractor's license shall include the name of the local officer or manager representing the contractor, and the master air conditioning and refrigeration mechanic who will be responsible for the performance of the work done by the person, firm, or corporation to which the license is issued.

309.6 Applications for a license shall be sworn to before a Notary Public.

309.7 An applicant who has successfully passed the examination, and who has the qualifications and fitness to engage in a business or occupation under this chapter, shall be notified by the Director of the approval of his or her application.

309.8 After having been notified that he or she has successfully passed the license examination, the applicant shall file a bond, if a bond is required under this chapter.

SOURCE: Commissioners' Order No. 55-2029, §§5(a)-(d), and 3(b), 5U DCCR, §§1.5(a)-(d) and 1.3(b).

310 EXAMINATIONS

310.1 The examination for an occupational license under this chapter shall include questions, diagrams, and other material sufficient to demonstrate to the Board that the applicant has the experience and knowledge of regulations and construction methods considered necessary to engage in the occupation.

310.2 The applicant may be required to demonstrate the following to the Board:

- (a) A practical knowledge of the Refrigeration Code and Regulations applicable to air conditioning and refrigeration installations;
- (b) An ability to comprehend and interpret plans and drawings;
- (c) An ability to maintain installations; and
- (d) An ability to repair apparatus, equipment, fixtures, and appliances in accordance with the Refrigeration Code and established standards.

310.3 An applicant who fails to qualify for a license or who fails to report for a scheduled examination shall forfeit any fees paid in connection with the application. A new application shall be filed in accordance with §309 before further consideration will be given to the applicant.

SOURCE: Commissioners' Order No. 55-2029, §§6(a)-(b), 5U DCCR, §§1.6(a)-(b).

311 BONDING OF LICENSEES

311.1 Persons engaged in any business required under this chapter to be bonded shall furnish and keep in force a bond running to the District of Columbia with corporate surety authorized by the Secretary of the Treasury to do business pursuant to §3 of the Act of August 13, 1894 (28 Stat. 279), as amended (6 U.S.C. §8), and by the D.C. Department of Insurance to do business in the District, in the amount specified in this chapter.

311.2 The bond shall be conditioned upon the performance of all licensed work undertaken by the person, firm, or corporation, in accordance with laws and regulations in force in the District, and shall hold the District of Columbia harmless from the consequences of any and all acts performed by that person, firm, or corporation in connection with the business during the period covered by the the bond.

311.3 If a surety becomes insolvent or bankrupt, or ceases to be authorized by the Secretary of the Treasury to do business pursuant to §3 of the Act of August 13, 1894 (28 Stat. 279), as amended (6 U.S.C. §8), or by the D.C. Department of Insurance to do business in the District, the principal shall, within ten (10) days after notice of this event given by the Director, file a new bond in like amount and conditioned as the original. If the principal fails to do so, the license of the principal shall terminate.

311.4 The Director shall furnish to anyone applying for it a certified copy of any bond filed under this section upon payment of a fee of five dollars (\$5). The certified copy shall

be *prima facie* evidence in any court that the bond was duly executed and delivered by the person, firm, or corporation whose name appears on the bond.

- 311.5 The required bond shall be in the penalty of five thousand dollars (\$5,000), and shall be executed in accordance with the following form:

KNOW ALL MEN BY THESE PRESENTS

That we, _____ as principal and _____ as sureties, are held and firmly bound unto the District of Columbia and to any person who may be aggrieved by a violation by the principal of any law or regulation in force in the District of Columbia relating to the refrigeration and air conditioning business in the full and just sum of _____ dollars (\$_____) lawful money of the United States of America, for which payment, well and truly to be made, we bind ourselves, jointly and severally, our joint and several heirs, executors, administrators, successors, and assigns firmly by these presents.

Signed with our hands and sealed with our seals this _____ day of _____, 19____

WHEREAS, the above bound _____ desires to engage in and practice the business of Refrigeration and Air Conditioning Contractor in the District, pursuant to the requirements of the Act of Congress approved December 20, 1944, 58 Stat. 819, and the refrigeration and air conditioning licensing regulations of the District of Columbia (Title 17 DCMR chapter 3) and in accordance with the laws of the District of Columbia relating to the refrigeration and air conditioning business.

NOW, THEREFORE, the conditions of the above obligations are such that if _____ shall well and truly observe and strictly and faithfully comply with the refrigeration and air conditioning licensing regulations of the District, including any amendments which may be hereafter made, and with all rules, regulations, and orders of the Mayor of the District, and all laws of the District relating to refrigeration and air conditioning work placed in, upon, or leading to or from any building or structure in the District, and shall save and keep harmless the District of Columbia and any person who may be aggrieved by the violation of the laws or regulations in force in the District of Columbia applicable to the performance of work aforesaid by the principal hereto from the consequence of any and all acts done by _____ in the execution and practice of his or her business as refrigeration and air conditioning contractor, then this obligation to be void; otherwise to remain in full force and effect for five (5) years from the date hereof.

- 311.6 The surety on any bond may terminate its liability under the bond by giving thirty (30) days written notice of termination, served either personally or by registered mail, to the principal and the Director.
- 311.7 Upon giving notice under §311.3, the surety shall be discharged from all liability under the bond for any act or omission of the principal occurring after the expiration of thirty (30) days from the date of service of the notice.
- 311.8 Unless on or before the expiration of the notice period the principal files a new bond in like amount and conditioned as the original in substitution of the bond so terminated, the license of the principal to engage in the licensed business shall likewise terminate upon the expiration of the notice period.
- 311.9 Any person aggrieved by the violation of any law or regulation in force in the District of Columbia relating to the licensed business shall have, in addition to a right of action against the person, firm, or corporation, a right to bring suit against the surety on the bond, either alone or jointly with the principal, and to recover in an amount not exceeding the penalty of the bond any damages sustained by reason of any act, transaction, or conduct of the principal which is in violation of law or regulation in force in the District relating to that business: Provided, that nothing in this section shall be construed to impose upon the surety on any bond a greater liability than the total amount of the bond, or the amount remaining unextinguished by any prior recovery or recoveries, as the case may be.
- 311.10 If a recovery is had on any bond, the principal shall restore the bond to its original amount.
- 311.11 Upon making any payment on account of its bond, the surety shall immediately notify the Director.

SOURCE: Commissioners' Order No. 55-2029, §§7(a)-(e), 5U DCRR, §1.7(a)-(e).

312 RENEWAL OF LICENSES

- 312.1 A renewal license may be issued before the date of expiration of the current license without reexamination if all of the following conditions are met:
- (a) All permit fees have been paid;
 - (b) Work or services performed under the existing license have been done in a manner satisfactory to the Director;
 - (c) The application and any required bond is approved; and
 - (d) The license renewal fee is paid.
- 312.2 The renewal license shall bear the date and be effective as of the expiration date of the old license.
- 312.3 The application for renewal of a license, accompanied by any required bond, shall be filed with the Director in writing on the form provided, and the license renewal fee

shall be paid before expiration of an existing license, except as otherwise provided in this section.

312.4 Any person licensed under this chapter who fails to renew his or her license prior to the expiration date of his or her license will be permitted to renew the license without being required to take an examination in connection with the renewal, subject to the following conditions:

- (a) That the license was not revoked during the period for which it was issued, and that it was in full force and effect on the date of expiration;
- (b) That the application for renewal is made in writing within thirty (30) days from the date the license expired;
- (c) That the applicant for renewal has not engaged in the activity for which the license is required during the period he or she remained unlicensed after the expiration of the previous license, and submits to the Examining Board a notarized statement that he or she has not so engaged in such activity; and
- (d) That the applicant for renewal of an expired license personally appears before the Examining Board to answer any questions relative to the application for renewal that the Examining Board may require.

312.5 This section shall not be construed as authorizing or permitting the holder of a license issued under the authority of this chapter whose license has expired and whose license has not been renewed in accordance with this section to continue to operate as if he or she were the holder of a valid license.

312.6 This section shall not be construed as waiving any provision in this chapter prohibiting any person from engaging in an activity for which a license is required without first having been issued a valid license to engage in that activity.

312.7 If a license expires while the licensee is in the service of the Armed Forces of the United States or the Merchant Marine, the license may be renewed without further examination on payment of renewal fee, and upon presentation of the application for renewal to the Director within six (6) months after discharge.

312.8 Proof that the licensee was serving in the Armed Forces of the United States or the Merchant Marine on the date of expiration of the license shall accompany the application for renewal.

SOURCE: Commissioners' Order No. 55-2029, §§8(a)-(e), 5U DCRR, §1.8(a)-(e).

313 TERMINATION, SUSPENSION, AND REVOCATION OF LICENSES

313.1 A business license issued under this chapter shall terminate if the licensee fails to file and maintain an approved bond as required under this chapter.

313.2 Any license issued under this chapter shall be revoked if the surety on the bond becomes unsatisfactory to the Board.

- 313.3 The Board may revoke any license issued under this chapter when it is shown to its satisfaction that the licensee, in his or her license application or application for renewal, knowingly made a false statement or misrepresentation deemed material to the issuance or renewal of the license.
- 313.4 A contractor's or occupational license issued under this chapter may be suspended or revoked by the Board for a violation of this chapter or other District of Columbia law or regulation applicable to the licensed activity; Provided, that the Board has held a hearing on the question of the violation after at least ten (10) days notice to the licensee.
- 313.5 On information that any person licensed under this chapter has been convicted of an offense involving moral turpitude, the Board may, within its discretion, deny, revoke, or suspend the license.
- 313.6 Upon the application of any person whose license has been denied, revoked, or suspended and upon showing a good cause, the Board may issue or reinstate the license.

SOURCE: Commissioners' Order No. 55-2029, §§9(a)-(d), and 4(h), 5U DCRR, §§1.9(a)-(d) and 1.4(h).

314 PERMITS

- 314.1 Permits for work to be done in accordance with the various codes governing the scope of work permitted under this chapter, as set forth in §301, shall be issued by the Director only to persons who hold valid Master Refrigeration and Air Conditioning Mechanic licenses or Master Refrigeration and Air Conditioning Mechanic Limited licenses, or to a firm or corporation doing business by virtue of having a person holding one of the master's licenses currently in its employ, in accordance with the provisions of this chapter.
- 314.2 The Director, if he or she should find that certain work does not comply with the codes and regulations governing its performance, shall inform the permit holder of the discrepancy and give the permit holder a specific amount of time to bring the work into compliance.
- 314.3 If the permit holder does not bring the work into compliance within the time given, the Director shall call upon the permit holder's surety bond to pay another qualified person or firm to complete the work. This action may be taken in addition to other penalties provided in this chapter and other regulations.

SOURCE: Commissioners' Order No. 55-2029, §§10(a)-(b), 5U DCRR, §§1.10(a)-(b).

315 PROHIBITED ACTS AND PENALTIES

- 315.1 No person shall perform work without having been issued the license under which that work may be performed. The license must be currently valid and in full force and effect.
- 315.2 Any license that is changed or altered shall be void.

- 315.3 If a license is lost, destroyed, or defaced, the licensee shall present a statement to that effect, properly notarized, and a duplicate license will be issued on payment of a fee of one dollar (\$1) to those persons who can show good cause.
- 315.4 No person holding a license under this chapter shall suffer or allow any other person to use or operate under that license.
- 315.5 No license shall be assigned or transferred.
- 315.6 No licensee, in making an installation, shall create a violation of any other regulations.
- 315.7 No Master Refrigeration and Air Conditioning Mechanic or Master Refrigeration and Air Conditioning Mechanic Limited shall be responsible for the work of more than one (1) contractor.
- 315.8 No person without a license required by this chapter may perform any air conditioning or refrigeration work in the District of Columbia except in buildings under the control of the officer in charge of Public Buildings and Grounds or of the Architect of the Capitol.
- 315.9 No person shall display a sign stating or implying that he or she is conducting a business requiring a license under this chapter, unless her or she is licensed to do so as provided in this chapter.
- 315.10 No person shall advertise by means of business cards, stationery, or any publication or directory, or claim orally to a prospective customer, or otherwise indicate that he or she is conducting an air conditioning and refrigeration business, unless he or she is licensed to do so as provided in this chapter.
- 315.11 Any person who violates any rule or section of this chapter, shall, upon conviction, be punished by a fine of not more than three hundred dollars (\$300) or imprisonment of not more than ninety (90) days.

SOURCE: Commissioners' Order No. 55-2029, §§12(a)-(g) and 13, 5U DCRR, §1.12(a)-(g) and 1.13.

399 DEFINITIONS

- 399.1 When used in this chapter, the words and phrases set forth in this section shall have the meanings ascribed.

Air Conditioning - the simultaneous control of all, or at least the first three (3), of those factors affecting both the physical and chemical conditions of the atmosphere within any structure. These factors include temperature, humidity, motion, distribution, dust, bacteria, odors, and toxic gases.

Approved drain - a receptacle intended to receive and discharge water, liquid, or water-carried wastes into a drainage system with which it is connected, the material, workmanship and type

of construction of which is approved by the Director of the D.C. Department of Environmental Services.

Board - the Refrigeration and Air Conditioning Licensing Board established by Organization Order No. 115, approved October 18, 1955.

Contractor - a person, firm, or corporation holding himself, herself, or itself out to the public as being able to engage in the business of installing, maintaining, repairing, and replacing refrigeration and air conditioning equipment. A contractor may be an individual holding a license as a Master Refrigeration and Air Conditioning Mechanic or a license as a Master Refrigeration and Air Conditioning Mechanic Limited; or a contractor may be a partnership or corporation, one of whose officers holds one of the master licenses, or which employs an individual holding one of the master licenses.

Director - the Director of the D.C. Department of Consumer and Regulatory Affairs, or the Director's agent, representative, or designee.

Disconnecting means - a device, group of devices, or other means by which the conductors of an electrical circuit can be disconnected from the source of supply.

Installation or installing - the placement of equipment in position and the making ready of that equipment for operation.

License - a certificate issued by the government of the District of Columbia enabling its holder to engage in the business of Refrigeration and Air Conditioning Contractor, or to engage in the occupation of Master Refrigeration and Air Conditioning Mechanic, or Master Refrigeration and Air Conditioning Mechanic Limited.

Person - a natural person, or a firm, partnership, association, or corporation.

Refrigeration - the process of extracting heat by mechanical means through one of the following:

- (a) The compression and evaporation of a gas;
- (b) The evaporation of a liquid; or
- (c) The absorption or adsorption of a liquid or vapor.

Self-contained unit system - a complete factory-made and factory-tested refrigeration or air conditioning system which is fabricated and assembled in a suitable frame or enclosure, including all components necessary for the proper operation of the system, and in which no refrigerant-containing parts are connected in the field.

Shut-off valve - a cut-off to stop the flow of water from the public water supply.

SOURCE: Commissioners' Order No. 55-2029, §1, 5U DCRR, §1.1.

